

1900-012 Chancery Causes: F. P. Baumgardner vs. Martha S. Sprinkle
Lee Co.

CA-Debt
T-Property

To the Hon H. A. W. Skeen, Judge of the Circuit Court
of Lee County Virginia;

Your orator F. P. Baumgardner, complaining, sheweth unto the
court, That heretofore, to wit, on the 1st day of March 1893,
your orator sold to Martha S. Sprinkle an undivided moiety in
and delivered to her possession thereof.
a certain parcel of land, situated in the said county of Lee, in the
the town of Pennington Gap, and being the corner lot fronting on
the south side of Morgan Avenue, and running southwardly along the
eastern side of Ford Street and known as the Gilly and Jims Livery
Stable, ^{and also one half of the horses and other equipments of said livery stable} for the sum of \$
, which said sum of \$
was
evidenced by four bonds, bearing date with the day and year
last- aforesaid, which said bonds were payable respectively
in six, twelve, eighteen ^{from date} months, and two years, and each waiving
the benefit of the homestead law, and to secure the payment
of the said purchase price of said moiety of land, ^{and the said horses and equipments} your orator
took a deed of trust on the said horses and equipments with R. F.
Pennington trustee, and was to retain and did retain the legal
title to said moiety of land. But your orator avers that the
said Martha S. Sprinkle has sold and disposed of all the
personal property described in said deed of trust for her sole use
and benefit; and one of the said bonds executed by her for
part of the purchase price of said moiety of land, and horses
and equipments of said livery stable, to wit, the bond due in
two years after date, for the sum of \$250⁰⁰, remains wholly
unpaid; ^{which said bond last- aforesaid, is filed therewith marked "Bund"} wherefore your orator is advised that he has a lien
on said moiety of land, for the debt- evidenced by said
bond of for the said \$250⁰⁰ and the interest thereon, and
the object of this suit is to have said moiety of land,
or so much thereof as is necessary, sold for the payment of
said debt, and the costs of this suit.

In consideration whereof, and forasmuch as your orator is
remediless save in a court of equity, he prays that the said

Martha S. Sprinkle be made defendant, to this bill
and required to answer the same but not on oath,
that being waived; that proper process issue; that said
moiety of land, or so much thereof as will suffice to
satisfy your orators lien thereon, and the costs of suit and
sale, be sold, and the proceeds thereof be applied to the
payment of said cost and lien; and that all such other,
further and general relief may be given as in the premises
is just and right, and your orator will ever pray, etc.

J. C. Noel p. q.

F. P. Baumgardner

vs. Bill J. N. Chan

Martha S. Sprinkle

1900. 1st Feby rules Bill
filed Spa 2nd ruled
& Decree Nisi

" 2nd Feby rules D. N.
Confirmed & Cause
set for hearing.

F. P. Bumpardner Complt

vs.

H. L. Sprinkle Defd

} In Chancery.

On the calling of this cause,
the defendant by counsel ap-
peared to the writ or summons
and moved to quash the re-
turn of the officer thereon, which
motion after being considered
by the ~~the~~ Court is sustained and
said cause remained to rule
for an alias process; and
it is ordered that the said
complainant pay the costs of
this motion & the services of
new process on said defd.
ant.

F. P. Bungardner

vol. 7 Dreeser

W. L. Sprinkle

Entered on Chy O.B.
No 6 Page 373

Enter this
March 19th 1890
N. A. W. S. L. W.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Martha S. Sprinkle

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *1st* Monday in *February* ¹⁹⁰⁰ ~~1899~~, to answer a
bill in chancery exhibited against *her* in our said court by *F. P.*

Burgardner

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *17th* day of *January* *1900*, ~~1899~~, and in the *12th* year of the
Commonwealth.

A. B. Munsey Clerk

F. P. Baumgardner

vs. {

SUBPOENA

IN CHANCERY

Martha S. Sprinkle

J. C. Noel p. q.

To 1st Feby Rules.

1900, Circuit Court.

Executed Jan 26 1900
by Delivering a Tested
Office Copy of the
within to
Martha S. Sprinkle
by J. C. Ely D.C.,
for W. J. Milern
S. L. C.